

Nuestra, LLC DBA Boston Garden: 518 Somerville Avenue, Cannabis Retail Sales Special Permit Application

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Nuestra, LLC ("Boston Garden") seeks a Special Permit from the Somerville Planning Board to operate a store engaged in Cannabis Retail Sales ("CRS") at 518 Somerville Avenue, Somerville, MA (the "Property"). The Property is located within the Mid-Rise 4 ("MR4") zoning district, which is designated as an eligible zone for such a use per the City of Somerville's Zoning Ordinance (the "Ordinance"), Table 4.2.13, Cannabis Retail Sales. As a ground story retail use, Boston Garden believes that its proposal to utilize the Property as a CRS addresses the needs of residents and employees in the immediate neighborhood seeking to purchase cannabis in a safe and compliant setting, in compliance with the goals of the MR4 district as outlined in Section 4.2.1 of the Ordinance.

I. Project Context

The Property is currently an existing 3,910 SF commercial building that is located at the intersection of Somerville Avenue and Park Street, a block with a number of neighborhood retail businesses including a Walgreens, a florist, a UPS store, and numerous sit-in and take-out restaurants. The existing use of the Property is as an owner-occupied Chinese-food restaurant and bar. The existing owners will retain their ownership of the site and lease the Property to Boston Garden.

Sometylie Sive Conway Park

Linearing Ford

Walgreens Photo
Sometylie Ave
Sometylie Av

Boston Garden proposes the interior renovation of the existing building in conformance with the performance

standards set forth in the Ordinance. No exterior renovations are proposed aside from modest adjustments of exterior finish and the installation of signage, awning, and canopy elements. Please see the enclosed site plans, floor plans, and exterior renderings, attached hereto as **Exhibit A**, which were designed in full compliance with the standards set forth by the Ordinance.

II. <u>Project Narrative</u>

With a focus on safe, compliant, and efficient operations, Boston Garden has identified the Property as an ideal location for a CRS. It is located in an area designated by local zoning for the aforementioned use, would contribute to the economic development of the surrounding area through the creation of new jobs and revenue from impact fees and local taxes, provides easy access for customers and employees due to its location in a transit hub, and is located in proximity to a number of other similarly situated neighborhood retail parcels.

A. Project Exterior

To reinforce Somerville's desire to reinforce a strong connection and gradual transition between the public realm and private realm, Boston Garden seeks to utilize its ground level window space to feature a five-foot-deep window display featuring greenery and stimulating paint and signage treatments to draw the eye of the viewer. The selection of materials, fenestration, and ornamentation was designed to result in a consistent and harmonious composition that appears as a unified whole.



Existing Storefront Treatment



Proposed Storefront Treatment



Existing West Façade Treatment



Proposed West Façade Treatment

Signage: Boston Garden proposes the installation of new wall signage on both public-facing property facades, window signage proximate to the customer entry, and a blade sign along Somerville Avenue. Signs will be stylized to conform with the look and feel with the surrounding neighborhood while maintaining effective wayfinding purposes. Signage will strictly comply all dimensional and projection requirements within the Ordinance. The company will not utilize signs advertising marijuana products.

Awning and Entrance Canopy: The company proposes the use of an entrance canopy over the customer entry to provide weather protection for pedestrians. Additionally, awnings will be installed over all windows to assist in reducing the glare for storefront display areas.

Transit Access: The Property is located along a commercial stretch with bicycle lanes on both Somerville Avenue and Park Street. Existing bike racks are installed along the Somerville Avenue-facing side of the building. The Property is two blocks away from an existing BlueBikes hub with 23 stalls. A map featuring the location of the nearest BlueBikes location is featured to the right. Employees will receive Gold Level BlueBike membership subsidies. Bike repair tools and an air nump will be accessible to both staff and customers by asking within



air pump will be accessible to both staff and customers by asking within the facility.

Somerville Avenue and Park Street both have sidewalks along the side of the facility. The facility is located just at the corner of a signalized intersection providing designated pedestrian crossing of both Somerville Avenue and Park Street. Streetlights are installed along Somerville Avenue illuminating the sidewalk and crosswalk.

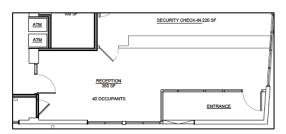


The Property is within a block of the 83 and 87 bus lines which provide access throughout Somerville, Cambridge, and Arlington, as shown by the MBTA access map featured on the left. Employees will receive MBTA transit subsidies as a benefit of employment. Bus schedules will be available to both employees and customers by asking within the facility.

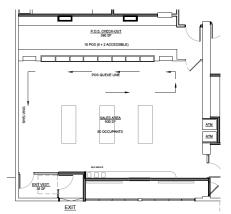
The site does not feature off-street parking. It is located adjacent to three metered spaces along Somerville Avenue. Due to the Boston Garden's desire to serve a customer base comprised of nearby residents and employees, it anticipates that the vast majority of customers will access the site via foot, bicycle, or public transit. Boston Garden will provide detailed information on its website, social media platforms, and via handouts within the store as to how to access its facility in a sustainable manner.

B. Project Interior

Boston Garden has designed its floor plan intentionally, incorporating lessons learned and best practices from its other licensed facilities in Massachusetts. The entry door to the facility is accessed by walking through a small exterior arcade in which the doorway is setback



from the frame of the building. Once customers walk through the arcade and use the main door to enter the facility, customers will enter into the reception vestibule, a 350 square feet room that can accommodate 40 occupants at any given time, ensuring that no queuing will occur at the exterior of the building. Within the entry vestibule, they will be required to check in at the security desk and produce valid government-issued identification that evidences that they are aged 21+.



Once a customer has provided adequate documentation verifying their age, they will be permitted to enter the retail sales floor. The sales floor comprises approximately 930 square feet and can accommodate 50 occupants. The sales floor includes two ATMs, a queued line marked by stanchions, various displays, and 10 point of sale terminals (eight standard, two accessible).

At such time that the customer finishes their transaction, they may exit the facility using a separate exit sallyport. The sallyport is configured as an interlock system, whereby only a single door

can remain open at any point in time to prevent unauthorized entry to the Property. The exit sallyport provides access to the sidewalk on Somerville Avenue.

All administrative support functions occur towards the rear and right of the Property. This includes staff offices, a receiving room, the vault and fulfilment areas, restrooms, janitorial closets, and a break room. Card readers will be installed throughout the facility, and agents will be required to swipe their card at such to gain access to certain rooms within the facility.

III. Property Operations

A. Trash

Marijuana Waste: All waste containing marijuana will be quarantined in a separate portion of the vault and returned to the licensed cultivation or manufacturing facility from which it was originally purchased wholesale. Absolutely no waste will be disposed of on site.

Non-Marijuana Waste: Waste that does not contain marijuana will be stored in a small exterior trash can and picked up weekly by a commercial trash vendor. Although no marijuana will be present in this receptacle, it will remain locked until such time that commercial trash pick-up occurs.

B. Snow Removal

Boston Garden will maintain a contract with a snow removal company to ensure the pedestrian path is shoveled along Somerville Avenue and Park Street. To the extent snow storage is necessary, Boston Garden will utilize the landscape beds along the side of the street or the small paved area along the rear of its Property.

C. Loading

Product deliveries will arrive to the facility on a regular basis in unmarked transport vans. Pursuant to 935 CMR 500.105, there will be no advertising, markings, or branding indicating that the vehicle is being used to transport marijuana. Routes and times used for the transportation of marijuana and marijuana products will be randomized. Marijuana and marijuana products will be transported in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. At least two agents will staff vehicles transporting marijuana. One agent will remain in the vehicle at all times, and the other will be accompanied by a staff member into the facility and through the receiving area. Similarly, an armored car service will pick up monetary instruments as needed each week.

The Property does not maintain a loading space on site. All product deliveries will occur when the facility is not open to the public and during off hours. The receiving vehicle will utilize one of the three public parking spaces in front of the facility. If no spaces are available, the vehicle will not conduct the delivery. The product will enter the facility through the main lobby and be taken into the receiving area.

D. Odor

All products will arrive at the facility in pre-packaged containers, limiting the potential for any odor concerns. Nevertheless, Boston Garden will install carbon filtration systems to prevent against odor in areas that will have a large concentration of marijuana such as the vault or fulfillment area. The carbon filtration systems utilize pellets of charcoal to trap terpenes as air passes through "carbon scrubbers" installed in the ducting.

As part of the onboarding process, staff members will receive comprehensive training about standard operating procedures throughout the facility, including protocol relative to odor control. company will maintain comprehensive records, including records of purchases of replacement carbon, performed maintenance tracking, documentation, and notification of malfunctions, scheduled and performed training sessions, and monitoring of administrative and engineering controls.

Records of any odor complaints transmitted to the facility by the City of Somerville (the "City",) local residents, or other parties will be maintained by Boston Garden's staff and addressed immediately. All complaints will be reported to the City's designated representative and Boston Garden's General Manager. The facility manager will be responsible for coordinating with on-site staff and executive management to remedy the problem and respond in writing.

IV. Compliance with Ordinance 9.4(d)

9.4(d)(i): Cannabis retail sales uses must be located at least three hundred (300) feet from any pre-primary, primary, or secondary Educational Services uses or any Educational Services Protected by M.G.L. 40A. Sec. 3.

Boston Garden's Property is not located within 300 feet of any pre-primary, primary, or secondary Educational Services uses or any Educational Services protected by M.G.L. 40A. Sec 3. Please reference the enclosed abutters list.

9.4(d)(ii) Cannabis retail sales uses are not permitted to occupy more than ten thousand (10,000) square feet of floor area.

Boston Garden's proposed facility comprises 3,910 square feet of floor area.

9.4(d)(iii). Signage for cannabis retail sales uses must comply with 935 CMR 500 and M.G.L. c. 94c, §34.

Boston Garden's signage has specifically been designed to comply with state and local regulations. Please see the affixed picture of the company's Athol, Massachusetts facility. The signage was approved by the Cannabis Control Commission.



9.4(d)(iv) In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a cannabis retail sales principal use:

a). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.

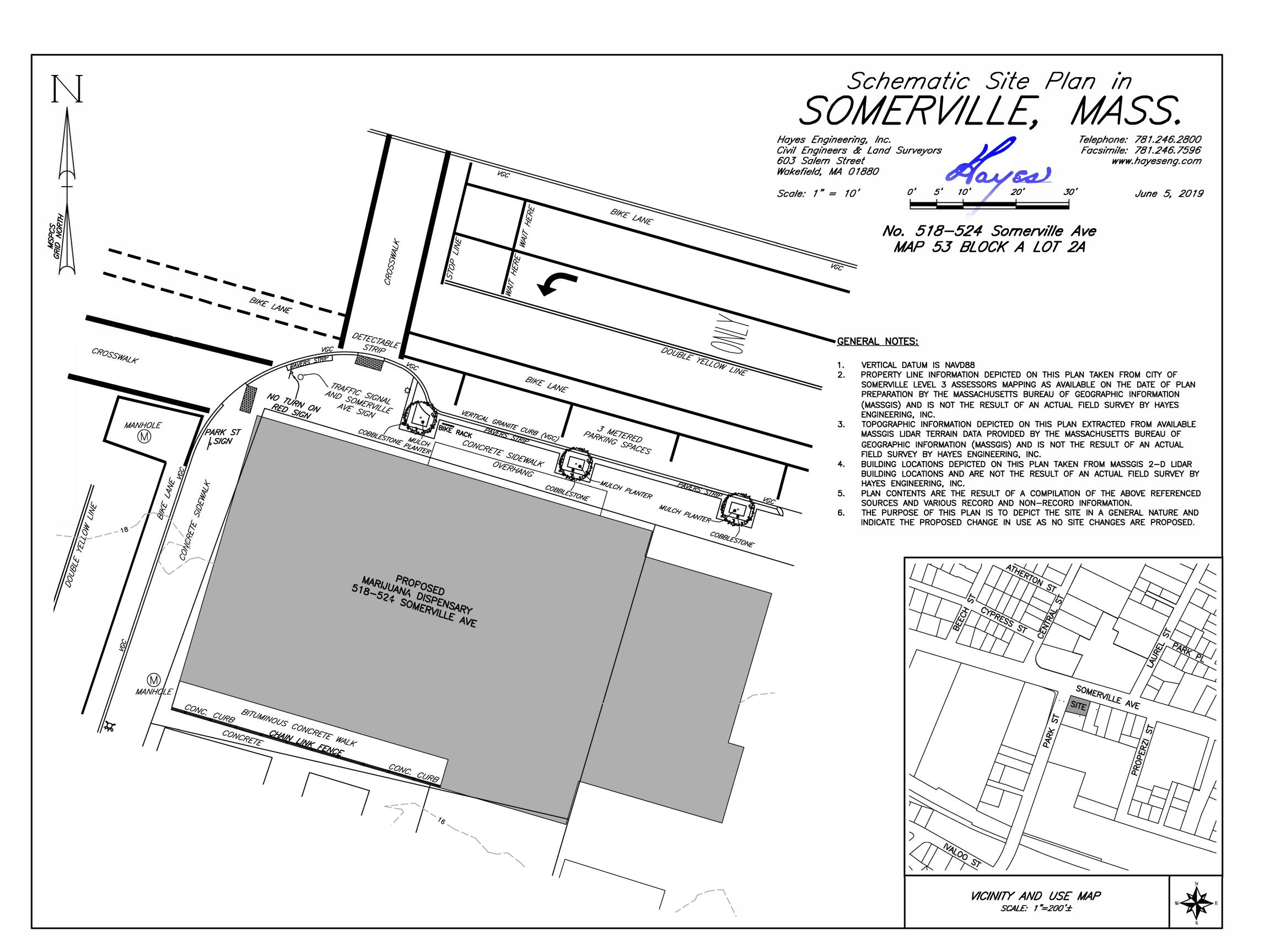
Boston Garden proposes to occupy an existing commercial space that is currently used by a sit-in restaurant. The company respectfully submits that a change of use will not impact the capacity of the local thoroughfare network providing access to the site nor will it have a measurable impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood. Please see the enclosed Traffic Impact Assessment.

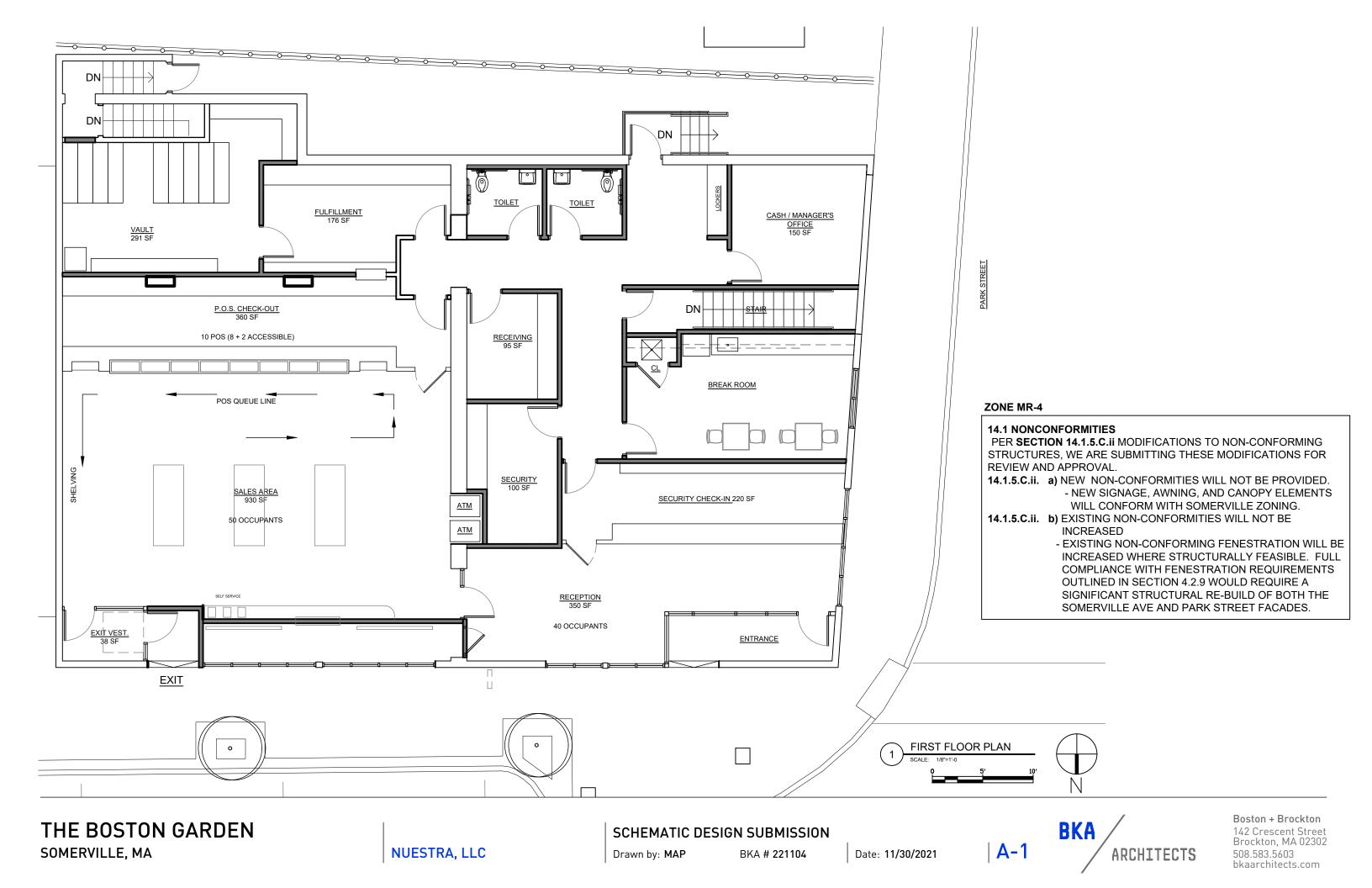
b). Location, visibility, and design of the principal entrance.

To reinforce Somerville's desire to reinforce a strong connection and gradual transition between the public realm and private realm, Boston Garden seeks to utilize its ground level window space to feature a five-foot-deep window display featuring greenery and stimulating paint and signage treatments to draw the eye of the viewer. Accompanying signage occurs adjacent to the principal entrance. The selection of materials, fenestration, and ornamentation was designed to result in a consistent and harmonious composition that appears as a unified whole.



Exhibit A: Site Plans, Floor Plans, Elevations







Drawn by: MAP

SOMERVILLE AVE: 775.5 SF X 70% = 542.85 SF REQUIRED - 381 SF PROVIDED = 49% (EXISTING FACADE OPENINGS)

NORTH FACADE SOMERVILLE AVE

Boston + Brockton



PARK STREET: 509 SF X 70% = 356 SF REQUIRED - 138 SF PROVIDED = 38% (NEW FACADE OPENINGS)

WEST FACADE PARK STREET

Exhibit B: Transportation Access Plan

Technical Memorandum

Nuestra, LLC ("Boston Garden") seeks a Special Permit from the Somerville Planning Board to operate a store engaged in Cannabis Retail Sales ("CRS") at 518 Somerville Avenue, Somerville, MA (the "Property"). The Property is located within the Mid-Rise 4 ("MR4") zoning district, which is designated as an eligible zone for such a use per the City of Somerville's Zoning Ordinance (the "Ordinance"), Table 4.2.13, Cannabis Retail Sales.

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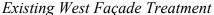
Boston Garden proposes the interior renovation of the existing building in conformance with the performance standards set forth in the Ordinance. No exterior renovations are proposed aside from modest adjustments of exterior finish and the installation of signage, awning, and canopy elements.

Site Plan Modifications



Proposed Storefront Treatment







Proposed West Façade Treatment

Signage: Boston Garden proposes the installation of new wall signage on both public-facing property facades, window signage proximate to the customer entry, and a blade sign along Somerville Avenue. Signs will be stylized to conform with the look and feel with the surrounding neighborhood while maintaining effective wayfinding purposes. Signage will strictly comply all dimensional and projection requirements within the Ordinance. The company will not utilize signs advertising marijuana products.

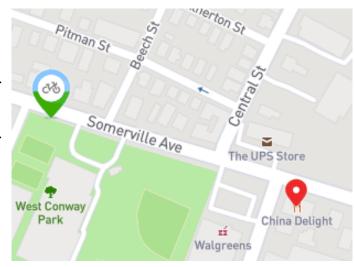
Awning and Entrance Canopy: The company proposes the use of an entrance canopy over the customer entry to provide weather protection for pedestrians. Additionally, awnings will be installed over all windows to assist in reducing the glare for storefront display areas.

Nonapplicable right of way changes: The proposal will not modify pavement markings, parking supply, or street furniture.

Site Accessibility

Parking: The site does not feature off-street parking. It is located adjacent to three metered spaces along Somerville Avenue. Due to the Boston Garden's desire to serve a customer base comprised of nearby residents and employees, it anticipates that the vast majority of customers will access the site via foot, bicycle, or public transit.

Cyclist Access: The Property is located along a commercial stretch with bicycle lanes on both Somerville Avenue and Park Street. Existing bike racks are installed along the Somerville Avenue-facing side of the building. The Property is two blocks away from an existing BlueBikes hub with 23 stalls. A map featuring the location of the nearest BlueBikes location is featured to the right. Employees will receive Gold Level BlueBike membership subsidies. Bike repair tools and an air pump will be accessible to both staff and customers by asking within the facility.



Pedestrian Access: Somerville Avenue and Park Street both have sidewalks along the side of the facility. The facility is located just at the corner of a signalized intersection providing designated pedestrian crossing of both Somerville Avenue and Park Street. Streetlights are installed along Somerville Avenue illuminating the sidewalk and crosswalk.

Public Transportation Access: The Property is within a block of the 83 and 87 bus lines which provide access throughout Somerville, Cambridge, and Arlington, as shown by the MBTA access map featured on the left. Employees will receive MBTA transit subsidies as a benefit of employment. Bus schedules will be available to both employees and customers by asking within the facility.



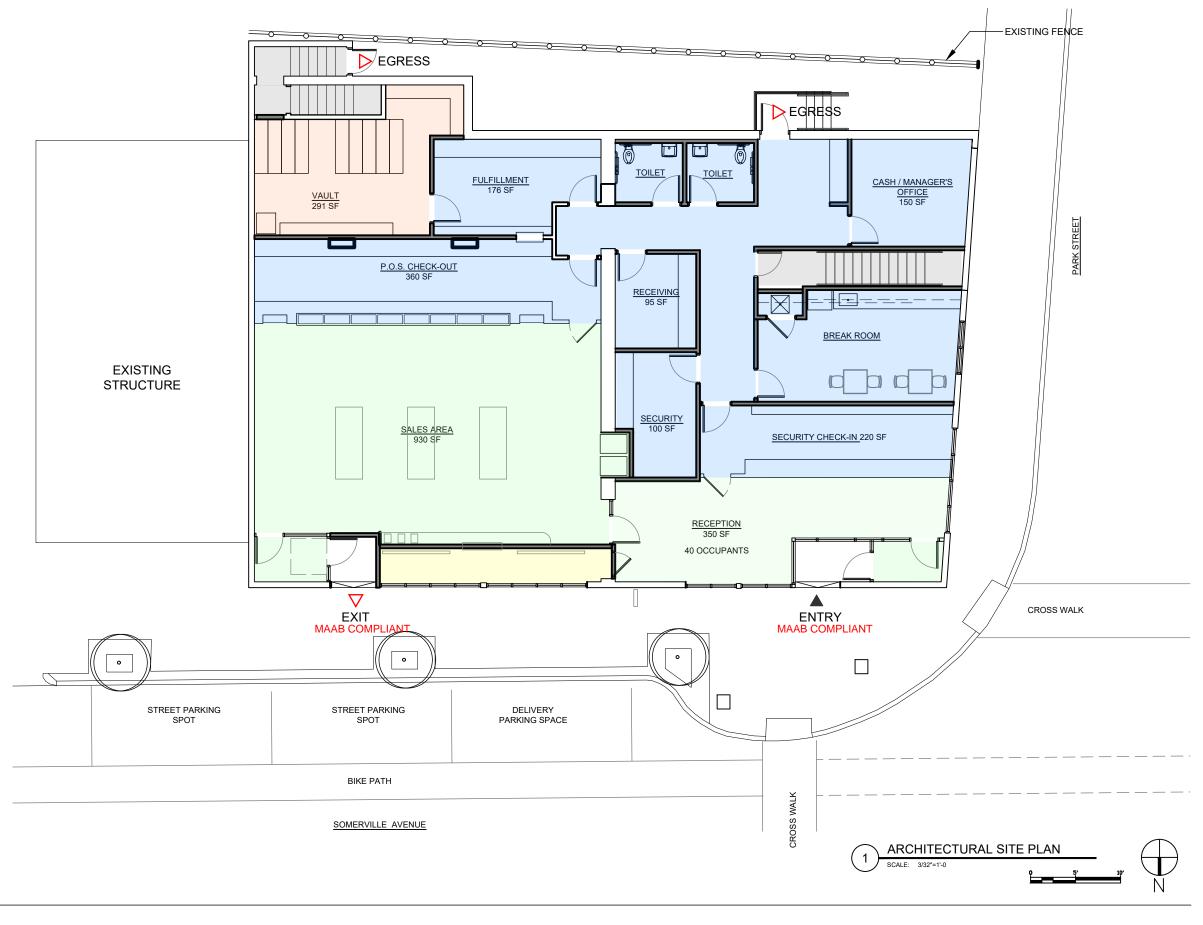
Loading: The Property does not maintain a loading space on site. All product deliveries will occur when the facility is not open to the public and during off hours. The receiving vehicle will utilize one of the three public parking spaces in front of the facility. If no spaces are available, the vehicle will not conduct the delivery. The product will enter the facility through the main lobby and be taken into the receiving area.

Transportation Elements Plan

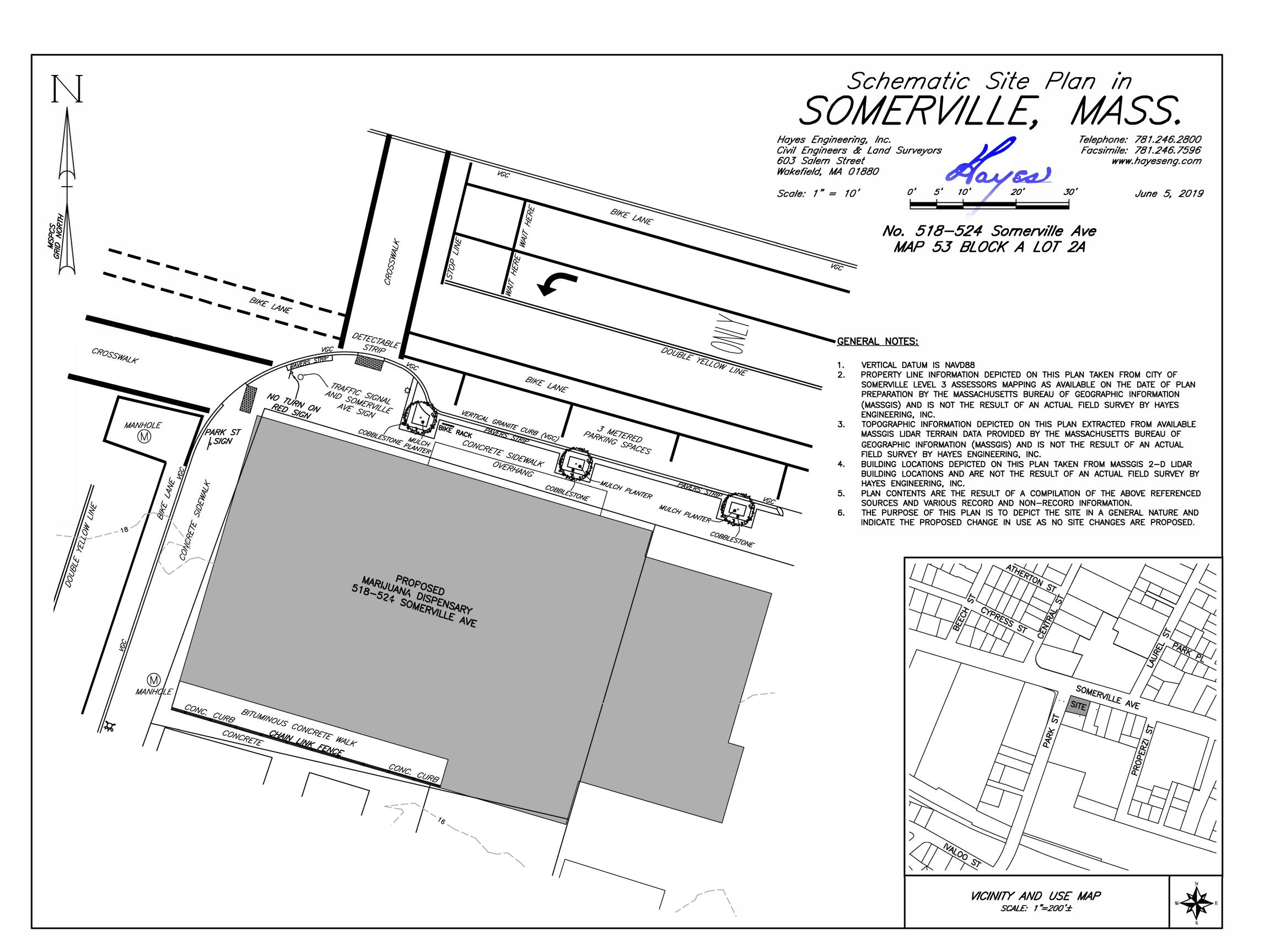
Please be advised that the proposal does not incorporate any of the following changes:

- > Street signage
- ➤ Pavement markings
- > On-street parking spaces
- > On-street parking regulations
- > Off-street parking layout
- ➤ Off-street parking regulations
- > Street furniture
- ➤ Motor vehicle parking
- > Vehicle movement

	RETAIL (PUBLIC)
	RETAIL (PRIVATE)
	CANNABIS VAULT
	WINDOW DISPLAY
	BASEMENT STAIR
A	MAIN ENTRANCE
Δ	EGRESS ACCESS









Abutters List

518 SOMERVILLE AVE SOMERVILLE, MA

	Map	Blo	Lot		Stree			•				Use	
Map	Cut Bloc	Cut Lot	Cut U	nit Alt	ternate Numbe Lo	cation	Grantee	Co grantee~s Name	Mailing Address	City	St Zip	Code Use De	scri
44	F	8			10	CENTRAL ST	NASSIOPOULOS GOERGE &	MILAS DI 10 CENTRAL STR	EET REALTY 10 CENTRAL ST		SOMERVILLE	MA 02143	1040 TWO FAMILY
44	F	9			8	CENTRAL ST	KOWALSKI CHRISTINE		8 CENTRAL ST		SOMERVILLE	MA 02145	1040 TWO FAMILY
44	G	6			545	SOMERVILLE AVE	TRUST CENTRAL STREET A	APARTMENT JOSEPH W HOWAR	TRSTE PO BOX 440-361		SOMERVILLE	MA 02144	112C APT OVER 8
44	G	7			553	SOMERVILLE AVE	CATON CHARLENE F FOR I	LIFE DIMARE C LAVAL	LEE C & PAC 553 SOMERVILLE AV	E	SOMERVILLE	MA 02143	1050 THREE FAM
45	В	7		1	21	PARK ST	ZIELINSKI ANNE M	S/O PION JULIA	21 PARK ST UNIT #	1	SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	7		2	21	PARK ST	WILLARD MARY JOAN & PE	ERLSTEIN	21 PARK ST 2		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	7		3	21	PARK ST	DENUNZIO DUSTIN J	S/O SYNCRO VIS	ON PRODUCT 4 HIGH ST #125		NORTH ANDOVER	MA 01845	1020 CONDO MDL
45	В	7		4	21	PARK ST	SIMMONS-STERN NICHOLAS	S R S/O MARCUS QUI	NTIN 21 PARK ST 4		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	7		5	21	PARK ST	COLUBRI ANDRES & KIM 3	JIHYUN	21 PARK ST 5		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	8		1	23	PARK ST	WANG LIJIAN		23 PARK ST 1		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	8		2	23	PARK ST	MURROW CLAUDIA		23 PARK ST #2		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	8		3	23	PARK ST	YAN HAORUO & LI JINGXI	IAN	23 PARK ST 3		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	8		4	23	PARK ST	NAPOLEON ALYSSA & NEII	LSON DERE	23 PARK ST #4		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	8		5	23	PARK ST	BRENNAN RONALD E & CHE	RISTOPHER	23 PARK ST 5		SOMERVILLE	MA 02143	1020 CONDO MDL
45	В	9			10 27	PARK ST	BATMASIAN JAMES H & MA	ARTA T	215 NORTH FEDERAL	HWY	BOCA RATON	FL 33432	112C APT OVER 8
45	В	14			550	SOMERVILLE AVE	CITY OF SOMERVILLE	CONWAY FIELD	93 HIGHLAND AVE		SOMERVILLE	MA 02143	9300 CITY VACAN
45	В	22			526	SOMERVILLE AVE	PJC REALTY MA, INC		200 WILMOT ROAD		DEERFIELD	IL 60015	3220 STORE/SHOP
45	В	23				SOMERVILLE AVE	CITY OF SOMERVILLE	CONWAY LOT	93 HIGHLAND AVE		SOMERVILLE	MA 02143	9300 CITY VACAN
52	G	14			493	SOMERVILLE AVE	NAVEO CREDIT UNION		493 SOMERVILLE AV	E	SOMERVILLE	MA 02143	3410 BANK BLDG
52	G	15			497	SOMERVILLE AVE	497 SOMERVILLE AVENUE	LLC	17 BLUEBERRY LANE		LEXINGTON	MA 02420	032R STORE
52	G	16			7	LAUREL ST	MAGANZINI BRETT	MULLANE ANNE	53 WOBURN STREET		READING	MA 01867	1040 TWO FAMILY
52	G	17			11	LAUREL ST	RAPHAEL FREDERIC TRSTE	EE 9-11 LAUREL ST	REET REALTY BOX 381255		CAMBRIDGE	MA 02238	1050 THREE FAM
52	G	34		1	1	LAUREL ST	YOUMAN ROY L	BORJA JULIET	1 LAUREL ST		SOMERVILLE	MA 02143	1020 CONDO MDL
52	G	34		3	3	LAUREL ST	BAYBUTT RICHARD	PATEL JAYASHRE	3 LAUREL ST		SOMERVILLE	MA 02143	1020 CONDO MDL
52	H	31			16	LAUREL ST	COSTA MANUEL R	REAL-COSTA LID	IA M 16 LAUREL STREET	# 1	SOMERVILLE	MA 02143	1110 APT 4-8 M
52	Н	38			515	SOMERVILLE AVE	YEM SOMERVILLE AVE LLC	C C/O KATHERINE	EHLER 10 COLBY ROAD		HINGHAM	MA 02043	3000 HOTELS
52	Н	39			519	SOMERVILLE AVE	LINEAR RETAIL SOMERVII	LLE #1 LL	FIVE BURLINGTON W	OODS DRIVE	BURLINGTON	MA 01803	3260 REST/CLUBS
52	Н	40			7	CENTRAL ST	7-9 CENTRAL ST		20 FOX RD		WALTHAM	MA 02451	1040 TWO FAMILY
52	Н	42			9	CENTRAL ST	7-9 CENTRAL ST		20 FOX RD		WALTHAM	MA 02451	3370 PARK LOT
52	H	43			15	CENTRAL ST	ALEKSI STEVEN FOR LIFE	E ALEKSI DUCOMB	ALIKI ETAL 15 CENTRAL ST		SOMERVILLE	MA 02143	1110 APT 4-8 M
53	A	1			1A 8	PARK ST	RAFI INVESTMENTS - SON	MERVILLE	PO BOX 961860		BOSTON	MA 02196	1040 TWO FAMILY
53	A	2			516	SOMERVILLE AVE	BACKER RUSSELL A & MAR	RJORIE S C/O TRIBECA MA	NAGEMENT 192 PRECINCT ST		MIDDLEBORO	MA 02346	1090 MULTI HSES
53	A	2	А		518	SOMERVILLE AVE	QIU GUO JIE		524 SOMERVILLE AV	E	SOMERVILLE	MA 02143	3260 REST/CLUBS
53	A	3		1	510	SOMERVILLE AVE	CHENG LUNG-I		510 SOMERVILLE AV	E 1	SOMERVILLE	MA 02143	1020 CONDO MDL
53	A	3		2	510	SOMERVILLE AVE	AJLOUNI BUROUJ	S/O INADAB PRO	PERTIES LLC 58 ROBINS RD		LEXINGTON	MA 02421	1020 CONDO MDL
53	A	3		3	510	SOMERVILLE AVE	THOME DAVID G		510 SOMERVILLE AV	E #3	SOMERVILLE	MA 02143	1020 CONDO MDL
53	A	5			508	SOMERVILLE AVE	508 SOMERVILLE AVENUE	LLC	689 SOMERVILLE AV	E	SOMERVILLE	MA 02143	0322 STORE/SHOP
53	A	6			504	SOMERVILLE AVE	RAFI INVESTMENTS -SOME	ERVILLE L	PO BOX 961860		BOSTON	MA 02196	3910 POT DEVEL
53	A	7			502	SOMERVILLE AVE	PACHECO JAMES LIFE EST	PACHECO JAMES	JR 502 SOMERVILLE AV	E	SOMERVILLE	MA 02143	1050 THREE FAM
53	A	8			9	PROPERZI WAY	RAFI INVESTMENTS-SOME	RVILLE LL	PO BOX 961860		BOSTON	MA 02196	1050 THREE FAM
53	A	20		:	11,13-15,1 8-14	TYLER ST	RAFI INVESTMENTS -SON	MERVILLE	PO BOX 961860		BOSTON	MA 02196	4000 FACTORY M
53	В	1		2	2 3 4 16 2 8	PROPERZI WAY	ROMAN CATHOLIC ARCHBIS	SHOP C/O REV ADEMIR	GUERINI 12 PROPERZI WAY		SOMERVILLE	MA 02143	9600 RELIGIOUS

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